

**Form 406**  
**(Revised 02/06)**

Return in duplicate to:  
Secretary of State  
P.O. Box 13697  
Austin, TX 78711-3697  
512 463-5555  
FAX: 512/463-5709  
**Filing Fee: See instructions**



**Amendment to Registration**

This space reserved for office use.

**FILED**  
**In the Office of the**  
**Secretary of State of Texas**

**MAR 13 2007**

**Corporations Section**

**Entity Information**

The legal name of the filing entity is:

Balfour Beatty Construction, Inc.

State the name of the entity as currently shown in the records of the secretary of state.

If the entity attained its registration under an assumed name, the qualifying assumed name as shown on the records of the secretary of state is:

The application for registration was issued to the entity on: 04/21/1994

mm/dd/yyyy

The file number issued to the filing entity by the secretary of state is: 0009981406

**Amendments to Application**

A. ☒ The application for registration is amended to change the legal name of the entity as amended in the entity's jurisdiction of formation. The new name is:

Balfour Beatty Infrastructure, Inc.

☒ The entity was registered with the secretary of state before January 1, 2006, and has not elected early adoption of the BOC and in accordance with the law applicable to the entity has attached a certificate from the proper filing office in the jurisdiction of formation evidencing the name change.

☐ The entity was registered with the secretary of state on or after January 1, 2006, or has filed an early adoption statement with the secretary of state and is not required to attach a certificate evidencing the name change in the jurisdiction of formation.

B. ☐ The new name of the entity is not available for use in Texas or fails to include an appropriate organizational designation. Or, the entity wishes to amend the qualifying assumed name stated on its registration or amended registration. The assumed name the entity elects to adopt for purposes of maintaining its registration is:

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Secretary of State

C. ☐ The application for registration is amended to change the business or activity stated in its application for registration. The business or activity that the entity proposes to pursue in this state is:

The entity is authorized to pursue the same business or activity under the laws of the entity's jurisdiction of formation.

### Other Changes to the Application for Registration

The foreign filing entity desires to amend its application for registration to make changes other than or in addition to those stated above. Statements contained in the original application or any amended application are identified by number or description and changed to read as follows:

### Effectiveness of Filing (Sections A, B, or C)

- A. ☒ This document becomes effective when the document is filed by the secretary of state.
- B. ☐ This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: \_\_\_\_\_
- C. ☐ This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90<sup>th</sup> day after the date of signing is: \_\_\_\_\_
- The following event or fact will cause the document to take effect in the manner described below:

### Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

Date: March 8, 2007

Christin M. McQuay  
Secretary

Signature and title of authorized person(s) (see instructions)

# Delaware

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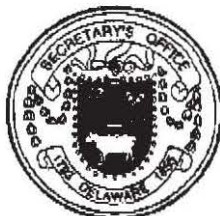
*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "BALFOUR BEATTY CONSTRUCTION, INC.", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "BALFOUR BEATTY INFRASTRUCTURE, INC.", THE FIFTH DAY OF MARCH, A.D. 2007, AT 10:22 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF AMENDMENT IS THE TWELFTH DAY OF MARCH, A.D. 2007.

2225663 8320

070301042



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 5494804

DATE: 03-09-07



# **Balfour Beatty**

## **Rail Inc.**

March 12, 2007

Texas Secretary of State  
PO Box 13967  
Austin, TX 78711-3697

***Balfour Beatty Rail, Inc.***

4390 Imeson Road  
Jacksonville, FL 32219-5314

Tel (904) 378-7100  
Fax (904) 378-7298

[www.bbri.com](http://www.bbri.com)

Re: Consent to Use Name "Balfour Beatty"

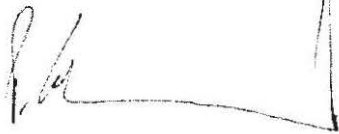
Dear Sir/Madam:

Balfour Beatty Rail, Inc. (WI) consents to the use of the name Balfour Beatty including Balfour Beatty Infrastructure, Inc. by Balfour Beatty Construction, Inc. Our understanding is that Balfour Beatty Construction, Inc. changed its name to Balfour Beatty Infrastructure effective today, March 12, 2007.

Please feel free to contact David Hodnett at 703-777-9460, if further information is required.

Sincerely,

BALFOUR BEATTY RAIL, INC.

A handwritten signature in black ink, appearing to read 'P. J. Copeland', written over a horizontal line.

Paul J Copeland  
President & CEO